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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06 0326 SI
	)	
Plaintiff,	)	ORDER AND STIPULATION FOR
	)	CONTINUANCE FROM JANUARY 12,
v.	)	2007 THROUGH FEBRUARY 23, 2007
	)	AND EXCLUDING TIME FROM THE
CLIFFORD DURHAM,	)	SPEEDY TRIAL ACT CALCULATION
	)	(18 U.S.C. § 3161(h)(8)(A))
Defendant.	)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling a status hearing on February 23, 2007 at 11:00 A.M. and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from January 12, 2007 through February 23, 2007. The parties agree, and the Court finds and holds, as follows:

1. The parties appeared before the Court in this matter on January 12, 2007 for a status hearing. Defendant recently obtained new counsel, Anthony Brass, who is in the process of reviewing the discovery in the case.
2. Accordingly, the matter was set for February 23, 2007 at 11:00 a.m. for further status and scheduling.
3. The parties requested an exclusion of time under the Speedy Trial Act for the period from January 12, 2007 through February 23, 2007. The defendant agrees to an exclusion of time

1 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv) to provide reasonable time necessary  
2 for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §  
3 3161(h)(8)(B)(iv).

4 4. After consideration of this matter, the Court finds that, taking into account the public  
5 interest in the prompt disposition of criminal cases, the ends of justice served by excluding the  
6 period from January 12, 2007 through February 23, 2007 outweigh the best interest of the public  
7 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

8 5. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing  
9 on February 23, 2007, at 11:00 A.M., and (2) orders that the period from January 12, 2007  
10 through February 23, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. §  
11 3161(h)(8)(A), (h)(8)(B)(iv).

12 IT IS SO STIPULATED:

13 DATED: 2/21/07 /s/  
14 ANTHONY BRASS  
Attorney for Defendant

15 DATED: 2/9/07 /s/  
16 MICHELLE MORGAN-KELLY  
Assistant United States Attorney

17 IT IS SO ORDERED.

18  
19 DATED: \_\_\_\_\_  
20   
THE HONORABLE SUSAN ILLSTON  
United States District Court Judge